

**STOW MUNICIPAL COURT DISTRICT**

CLERK OF COURTS OFFICE  
4400 Courthouse Blvd.  
Civil Division  
Stow, Ohio 44224  
(330) 564-4148

**Summons**

Violet Seketa

Plaintiff(s)

-vs-

FedEx aka FedEx Ground aka FedEx Ground Transporta  
Defendant(s)

Case Number: 2019CVF04092

**FILED**  
Stow Municipal Court  
December 12, 2019  
At 10:47 AM  
Amber Zibritosky  
Clerk of Courts

To the below named defendant(s):

FedEx aka FedEx Ground aka FedEx Ground  
Transporta  
4400 Easton Commons Way  
Suite 125  
COLUMBUS, OH 43219

You are hereby summoned that a complaint (a copy of which is hereto attached and made a part hereof) has been filed against you in this Court by the Plaintiff(s) named herein.

You are hereby summoned and required to serve upon the plaintiff(s) attorney, or upon the plaintiff, if he has no attorney of record, a copy of an answer to the complaint within twenty-eight (28) days after service of this summons on you, exclusive of the date of service. Said answer must be filed with the Court within three (3) days after the service of a copy of the answer on the plaintiff's attorney.

The name and address of the plaintiff's attorney is:

GREGG D GARFINKEL  
DENMAN LERNER & GUNDY CO LPA  
8039 BROADMOOR ROAD SUITE 21  
MENTOR, OH 44060  
(440)-951-6666

If you fail to appear and defend, judgment by default will be rendered against you for the relief demanded in the complaint.

**Amber Zibritosky**  
Clerk of Stow Municipal Court

Date: 12/12/2019

*Kathleen Dyer*  
\_\_\_\_\_  
Deputy Clerk



IN THE STOW MUNICIPAL COURT  
SUMMIT COUNTY, OHIO

Stow Municipal Court  
Amber Zibritosky, Clerk of Courts  
Filed: 12/12/2019 10:37 AM  
2019CVF04092

VIOLET SEKATA  
1764 Arbutus Drive  
Hudson, Ohio 44236

Plaintiff,

vs.

FEDEX AKA FEDEX GROUND AKA  
FEDEX GROUND TRANSPORTATION  
AKA FEDEX RISK MANAGEMENT  
C/O Statutory Agent, CT CORPORATION  
SYSTEM  
4400 Easton Commons Way, Suite 125  
Columbus, Ohio 43219

Defendant.

) CASE NUMBER:

) JUDGE:

COMPLAINT

Now comes Plaintiff, Violet Sekata, by and through her attorney, and for her Complaint,  
states as follows:

PARTIES AND JURISDICTION

1. At all times material herein, Plaintiff, Violet Sekata, was and is a resident of the City of Hudson, County of Summit and State of Ohio.
2. At all times material herein, Defendant, FedEx aka FedEx Ground aka FedEx Ground Transportation aka FedEx Risk Management C/O CT Corporation System ("FedEx") was and is a corporation doing business in the City of Hudson, County of Summit and State of Ohio.
3. At all times material herein, the incident which is the subject of this Complaint occurred in the City of Hudson, County of Summit and State of Ohio.

COUNT ONE

4. On or about December 12, 2017, Plaintiff, Violet Sekata, received a “grandson scam” phone call advising her that her grandson was in jail and needed bond money.

5. Plaintiff, Violet Sekata was directed to send the “bond money” to Thomas Curlis, 149 Van Buren St., Passaic, New Jersey 07555.

6. On December 12, 2017, Plaintiff, Violet Sekata went to FedEx and shipped \$6,000.00, overnight to Thomas Curlis, 149 Van Buren St., Passaic, New Jersey 07555. (see attached FedEx Tracking information and proof of purchase receipt as Plaintiff’s Exhibit “A”).

7. A few hours, before FedEx shipped the package, Plaintiff, Violet Sekata, discovered that the phone call was a scam. She immediately contacted the City of Hudson Police Department and FedEx (see attached police report as Plaintiff’s Exhibit “B”).

8. Both the Plaintiff and the City of Hudson Police Department contacted FedEx to stop shipment of the package immediately.

9. FedEx advised both the Plaintiff and the City of Hudson Police Department that the shipment was still in transit and were able to stop the delivery before it reached the destination and they would redirect the package to the Plaintiff’s address.

10. FedEx explicitly assured both the Plaintiff and the City of Hudson Police Department that the package was stopped before delivery and would be returned to the Plaintiff.

11. Both Plaintiff and the City of Hudson Police Department made multiple follow up calls to FedEx to make sure that the package would not be delivered.

12. FedEx never stopped the package as they were directed to and the package was delivered to the New Jersey address to the “grandson scammer”.

COUNT TWO – NEGLIGENCE

12. Plaintiff Sekata realleges the preceding paragraphs of this Complaint as if fully restated and incorporated herein.

13. At all times mentioned herein, FedEx was under a duty to act with reasonable care so as not to cause injury or damage to their customers, including Violet Seketa.

14. In breach of FedEx's duty, FedEx's negligent misconduct includes, but is not limited to the facts that FedEx:

- a. Failed to adhere to the orders of the City of Hudson Police Department and Plaintiff, Violet Seketa by stopping the delivery of the package;
- b. Made no effort to stopping the delivery of the package;
- c. In violation of 49 U.S. Code Section 80111, FedEx, after being requested to stop delivery, continued to deliver the package to New Jersey;
- d. In violation of 49 U.S. Code Section 80111, FedEx after having information that the name and address the package was delivered to, Thomas Curlis, 149 Van Buren St., Passaic, New Jersey 07555., was a scam, continued to deliver the package.

15. As a direct and proximate result of the negligence set forth above and the negligence of Defendant, FedEx aka FedEx Ground aka FedEx Ground Transportation aka FedEx Risk Management C/O CT Corporation System, Plaintiff, Violet Seketa, sustained substantial financial loss, to the negligent actions of FedEx.

WHEREFORE, Plaintiff Violet Sekata prays for judgment against Defendant, FedEx aka FedEx Ground aka FedEx Ground Transportation aka FedEx Risk Management C/O CT Corporation System, as follows:

- 1. In Count One in an amount less than Fifteen Thousand Dollars (\$15,000.00); and

2. attorney's fees and their costs incurred herein.

Respectfully submitted,

DENMAN & LERNER CO., LPA

/s/ Gregg D. Garfinkel

JOHN M. GUNDY (0060148)

GREGG D. GARFINKEL (0077691)

8039 Broadmoor Rd., Ste. 21

Mentor, OH 44060

Phone: (440) 951-6666

Fax: (440) 951-6417

denmanlerner@denmanlernerlaw.com

Attorneys for Plaintiff



FedEx Office

ORIGIN ID: CAKK (330) 655-2689  
VIOLET SEKETA

1764 ARBUTUS DR

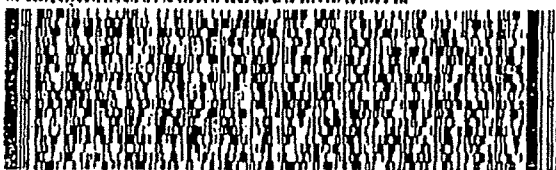
HUDSON, OH 44236  
UNITED STATES USSHIP DATE: 12DEC17  
ACTWT: 0.80 LB  
CAD: 6996780/65F01822

BILL CREDIT CARD

TO THOMAS CURLIS

149 VAN BUREN ST

PASSAIC NJ 07055

(882) 265-1824  
REF:1764 ARBUTUS DR  
HUDSON, OH 44236  
UNITED STATES USFedEx  
ExpressTRK# 7888 8874 9372  
[0201]WED - 13 DEC 10:30A  
PRIORITY OVERNIGHT

XA JPJA

07055  
NJ-US EWRAddress: 65 S MAIN ST  
HUDSON  
OH 44236  
Location: CAKKI  
Device ID: -BTC02  
Transaction: 900183666920FedEx Priority Overnight  
788888749372 0.8 lbs. (S) 55.00  
Declared Value 0

Shipment subtotal: \$55.00

Total Due: \$55.00

(S) CreditCard: \$55.00

\*\*\*\*\*2630

M = Weight entered manually  
S = weight read from scale  
I = taxable itemTerms and Conditions apply. See  
fedex.com/us/service-guide for details.Visit us at: [fedex.com](http://fedex.com)  
Or call 1.800.GoFedEx  
1.800.463.3339

Dec 12, 2017 12:14:48 PM

Chester

\*\*\*\*\* WE LISTEN \*\*\*\*\*  
Tell us how we're doing  
& receive a discount on your next order!  
[fedex.com/we listen](http://fedex.com/we listen) or 800-398-0242  
Redemption Code:                     

\*\*\* Thank you \*\*\*





# City of Hudson Police Department

City of Hudson  
Police Department  
36 South Oviatt St.  
Hudson, OH 44236  
Phone: (330)342-1800  
Fax: (330)342-1821

## Incident Report

<b>Incident #</b> 20174263		<b>Primary Charge</b> TFT	
<b>Incident Information</b>			
<b>Call Type</b>	Theft	<b>CFS #</b>	2173460088
<b>Incident Loc.</b>	1764 ARBUTUS DR.		
	HUDSON	<b>Zone</b>	SE
<b>Report Date</b>	12/12/2017	<b>Occurred Between:</b>	
<b>Supervisor</b>	189 Christopher Roch	<b>First Date</b>	12/12/2017 <b>Time</b> 10:00
<b>Unit on Scene</b>	4	<b>Last Date</b>	12/12/2017 <b>Time</b> 12:14
<b>Reporting</b>	124 Joseph Giacomazza, Jr.	<b>Citation #</b>	
<b>Assigned</b>	124 Joseph Giacomazza, Jr.	<b>Jurisdiction</b>	
<b>Approved By</b>	Christopher Roch	<b>Date</b>	12/13/2017
<b>Clearance</b>	J - CLOSED		
<b>Dispatch Times</b>			
<b>Received</b>	<b>Dispatched</b>	<b>Arrived</b>	<b>Cleared</b>
19:18	19:20	19:29	20:17
<b>Total</b>		0:58	
<b>Incident Charges</b>			
<b>Charge</b>	ORC	<b>Degree</b>	<b>Disposition</b>
Theft - deception	2913.02A3	F4	
<b>Case #</b>		<b>Ticket #</b>	
		<b>Court Date</b>	
<b>Incident Property</b>			
<b>Make</b>	<b>Model</b>	<b>Item</b>	<b>Dispo</b>
		FED EX OVERNIGHT SHIPPING CHARGE	
			\$55.00
<b>OTHER</b>			
<b>Incident Property</b>			
<b>Make</b>	<b>Model</b>	<b>Item</b>	<b>Dispo</b>
		CASH	
			\$6,000.00
<b>ST</b>			
<b>Incident Names</b>			

THE OHIO LETHAL WEAPON ACT, INC.  
**PLAINTIFF'S  
EXHIBIT  
B**

CLEVELAND, OHIO 44102-1702

Incident # <b>20174263</b>		Primary Charge <b>TFT</b>	
<b>Incident Names</b>			
Entry Type	Person Name	Alias	DOB
VIC	SEKETA	VIOLET	M
DOB	11/30/1936		
Addr	1764	ARBUTUS DR	HUDSON OH 44236
Phone1	(330)655-2689		
Sex	F	Race	W
Hgt	5	7	Wgt
190	Hair	BRO	Eyes
BRO	Phone2		
Employer			
Employer Phone			
Occupation	SMT		
<b>Investigative Report</b>			
<p>On December 12, 2017, at 1919 hours, I responded to 1764 Arbutus Dr. for a report of a theft by deception. The victim was called by an unknown male and told her grandson was in jail and needed bond money to get out. They instructed her to send \$6,000 to an address in New Jersey, which she did. The FedEx package was still in transit and we were able to stop the delivery before it got to its destination. FedEx advised they would redirect the delivery and send it back to the victim.</p>			



Incident #	20174263	Primary Charge	TFT
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Investigative Report Supplement			
Date	12/13/2017	Reporting Officer	106 Kalja Jeanlet
		Incident #	20174263
Call Type	Theft		

Wednesday 12-13-17: Victim Violet Seketa and her husband, Emil, came to the station after learning that the FedEx package Violet sent to New Jersey yesterday fell through the cracks and was not returned to sender as promised twice by FedEx to Officer Giacomazza.

Violet had received a "grandson scam" phone call yesterday in which a young man claiming to be her grandson was crying and told her that he was frightened and needed bond money after an OVI traffic crash. He was in jail in Pennsylvania. The bond money - \$6,000 in \$100 bills - was to be sent to a New Jersey address. Violet shipped the money and later learned it was a scam.

Today Violet went to the Hudson FedEx office and learned that, contrary to FedEx's reassurance that the delivery had been cancelled and would be returned, it had reportedly been delivered anyway. Violet added that she spent \$55 to ship it overnight.

Emil Seketa told me that following the initial solicitation, he received another call from the grandson's purported attorney, "Thomas Wilson," who said that a pregnant woman had been involved in the crash and lost her unborn child as a result. The woman would settle for \$15,000 up front, out of court. The Seketa's did not send anything.

Emil gave me three phone numbers which were provided by "Thomas Wilson."

862-295-1824 is a non fixed VoIP number in Passaic NJ through Google / Bandwidth.com.

718-838-9629 is registered in New York, NY through Vail Lab (Sybase).

404-369-3921 is another Google / Bandwidth number in Norcross, GA. ("Wilson" said this was the number of the Reading PA jail where the grandson was held).

Mr. Seketa also wished to know if the FBI should be informed since the matter crossed state lines. I advised him that due to the internet, most crime rings now cross state lines and the FBI investigative threshold is \$100K.

Mrs. Seketa will contact their family attorney concerning any recourse they may have toward FedEx for failing to stop the shipment after having been alerted twice by police to the fraudulent activity.

It is not beyond consideration that the FedEx package was short-stopped internally but recorded as delivered in New Jersey.

I provided Mrs. Seketa with two copies of the report and notified Officer Giacomazza.

Incident # 20174263	Primary Charge TFT
<b>Investigative Report Supplement</b>	
Date 12/13/2017	Reporting Officer 124 Joseph Giacomazza, Jr.
Incident # 20174263	
Call Type Theft	
<p>On December 12, 2017, at 1919 hours, I responded to 1764 Arbutus Dr. for a report of a theft by deception. The caller, Violet Seketa, advised that she received a call around 1000 hours from an unknown male informing her that her grandson was in Pennsylvania and was arrested. The male told her that he had been in an accident and was drinking. He said that he was an attorney and was able to get her grandson's bond down to \$6,000. She immediately thought it was her grandson Nicholas and wanted to help. He called her a few times first giving his name as Thomas Curlis and then the second time as Thomas Wilson.</p> <p>Mrs. Seketa said that she agreed to send the bond money. The male told her she needed to send cash only and to place it in a magazine. She was then instructed to send it via FedEx and gave her an address of 149 Van Buren St. Passaic NJ 07055 to send it to. After speaking with the male she put together the money (all \$100 bills) and went to FedEx in Hudson where she sent it. Later on that night, Mrs. Seketa received a call from her daughter and asked her how Nicholas was doing. Her daughter said he was doing fine and was at home. This is when she knew she had been scammed.</p> <p>I checked the FedEx package receipt and noticed the delivery was priority overnight due to be delivered on 12-13-2017 around 1030 hours. This meant the package was in transit and had not been delivered yet. I contacted FedEx and requested they cancel the delivery and send the package back to Mrs. Seketa. The FedEx customer service representative "Chester" informed me that he did cancel the delivery and it would be redirected back to Mrs. Seketa's address. She described the male's voice as young with a foreign accent. I told her I would look into the phone number and address the suspect provided.</p> <p>I contacted the Passaic Police Department regarding the address but they were unable to help me at the time. I attempted to call the phone number that called Mrs. Seketa (862-296-1824) but it was disconnected. Around 2330 hours I checked the tracking information on the website and it was showing to still have a delivery address to New Jersey. As a precaution, I again contacted FedEx and they confirmed the package was cancelled in their system and would be sent back to Mrs. Seketa. -Nothing Follows-</p> <p>Officer J. Giacomazza #124 City Of Hudson, Division of Police</p>	

562-296-1824.  
should be 562-295-1824

Incident # 20174253

Primary Charge TFT

~~Investigation Report Supplement~~

Date 12/13/2017

Reporting Officer 124 Joseph Giacomazza, Jr.

Incident # 20174263

Call Type Theft

Shortly after, I received a call from investigator Ron Blackmar. He provided the same information that the Tennessee center provided me and also gave his contact information to reach him 24/7. Investigator Blackmar later informed me that they had multiple packages over the years to this address and nothing appeared to be out of the ordinary.

I then contacted Passaic Police Department and was able to speak with one of their detectives. He checked the address and informed me the last incident was a fire in early summertime. Given all the information I was provided, it's more likely this address was used as a pickup address and the suspect has no affiliation to it. --Nothing Follows--

Officer J. Giacomazza #124  
City Of Hudson, Division of Police